IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.40046 of 2008

PRABHU YADAV,
son of Late Lekha Yadav,
resident of Village Baribag,
P.S. Khaira, District Jamui
-----Petitioner

Versus

STATE OF BIHAR

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2. 5.12.2008 Heard the learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in connection with Khaira P.S. Case No.153/2007 for the alleged offences registered under section 379 of the Indian Penal Code and its other allied sections.

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It is submitted on behalf of the petitioner that as per the F.I.R. the allegation against the petitioner is of taking away the vehicle in question. However, the only allegation against this petitioner along with the named accused is of guarding the informant. As such, the allegation of taking away the vehicle is not against this petitioner. Besides the above, it is submitted that the petitioner was not present at the time of the alleged occurrence as is evident from the certificate of the doctor, as contained in Annexure 2

Considering the above, let the petitioner above named, in the event of his arrest or surrender in connection with Khaira P.S. Case No.153/2007 within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction

of the Chief Judicial Magistrate, Jamui, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

PNM **(Shailesh Kumar Sinha, J.)**

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